

Exhibit 3

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
2 A Limited Liability Partnership
3 Including Professional Corporations
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14
15 Attorneys for Individual Counterclaim
16 Defendants Michael Omidi, M.D. and
17 Julian Omidi
18

19 UNITED STATES DISTRICT COURT

20 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

21 ALMONT AMBULATORY
22 SURGERY CENTER, LLC, a
23 California limited liability company, et
24 al.,

25 Plaintiffs,
26 v.

27 UNITEDHEALTH GROUP, INC.;
28 UNITED HEALTHCARE SERVICES,
1 INC., UNITED HEALTHCARE
2 INSURANCE COMPANY;
3 OPTUMINSIGHT, INC., and DOES 1
4 through 20,

5 Defendants.

6 UNITED HEALTHCARE SERVICES,
7 INC., UNITED HEALTHCARE
8 INSURANCE COMPANY;
9 OPTUMINSIGHT, INC.,

10 Counterclaim Plaintiffs,
11 v.

12 ALMONT AMBULATORY
13 SURGERY CENTER, LLC, a
14 California limited liability company; et
15 al.,

16 Counterclaim Defendants.

17 Case No. 2:14-cv-03053-MWF(VBKx)
18 Honorable Michael W. Fitzgerald

19 **MICHAEL OMIDI, M.D. AND
20 JULIAN OMIDI'S RESPONSE TO
21 DEFENDANTS' COUNTERCLAIM
22 PLAINTIFFS' FIRST SET OF
23 REQUESTS FOR ADMISSION**

24 Complaint Filed: March 21, 2014

25 Trial Date: None Set

1 PROPOUNDING PARTY: DEFENDANTS/COUNTERCLAIM PLAINTIFFS
2 ("UNITED")
3 RESPONDING PARTY: INDIVIDUAL COUNTERCLAIM DEFENDANTS
MICHAEL OMIDI, M.D. and JULIAN OMIDI
4 SET NO.: ONE

5 **RESPONSES TO REQUESTS FOR ADMISSIONS**

6 **REQUEST FOR ADMISSION NO. 1:**

7 Admit that Julian Omidi signed, at box six ("Name, Address and Signature of
8 Organizer"), the document that is attached as Exhibit 1.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 1:**

10 Individual Counterclaim Defendants object to this Request in its entirety on
11 the following ground. This Request seeks information arguably relating to
12 Counterclaim Plaintiffs' alter ego theory of liability alleged in the First Amended
13 Counterclaim ("FACC"), rather than relating to any claim or defense as provided in
14 Fed. R. Civ. P. 26(b)(1). The FACC is subject to the pending Motions to Dismiss.
15 If those Motions are granted, in whole or in part—for example, if the Individual
16 Counterclaim Defendants are dismissed or the Court rules that the alter ego
17 allegations are insufficient to permit alter ego discovery in the underlying action, as
18 opposed to post-judgment proceedings, if any, then the subject matter of this
19 Request will not be relevant.

20 **REQUEST FOR ADMISSION NO. 2:**

21 Admit that Julian Omidi signed, at the line marked "Endorse Here," the
22 document that is attached as Exhibit 2.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 2:**

24 Individual Counterclaim Defendants object to this Request in its entirety on
25 the following ground. This Request seeks information arguably relating to
26 Counterclaim Plaintiffs' alter ego theory of liability alleged in the FACC, rather
27 than relating to any claim or defense as provided in Fed. R. Civ. P. 26(b)(1). The
28

1 FACC is subject to the pending Motions to Dismiss. If those Motions are granted,
2 in whole or in part—for example, if the Individual Counterclaim Defendants are
3 dismissed or the Court rules that the alter ego allegations are insufficient to permit
4 alter ego discovery in the underlying action, as opposed to post-judgment
5 proceedings, if any, then the subject matter of this Request will not be relevant.

6 **REQUEST FOR ADMISSION NO. 3:**

7 Admit that Michael Omidi signed, at box fourteen (“Signature of Authorized
8 Person”), the document that is attached as Exhibit 3.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 3:**

10 Individual Counterclaim Defendants object to this Request in its entirety on
11 the following ground. This Request seeks information arguably relating to
12 Counterclaim Plaintiffs’ alter ego theory of liability alleged in the FACC, rather
13 than relating to any claim or defense as provided in Fed. R. Civ. P. 26(b)(1). The
14 FACC is subject to the pending Motions to Dismiss. If those Motions are granted,
15 in whole or in part—for example, if the Individual Counterclaim Defendants are
16 dismissed or the Court rules that the alter ego allegations are insufficient to permit
17 alter ego discovery in the underlying action, as opposed to post-judgment
18 proceedings, if any, then the subject matter of this Request will not be relevant.

19 **REQUEST FOR ADMISSION NO. 4:**

20 Admit that Michael Omidi signed, in the endorsement box, the document that
21 is attached as Exhibit 4.

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 4:**

23 Individual Counterclaim Defendants object to this Request in its entirety on
24 the following ground. This Request seeks information arguably relating to
25 Counterclaim Plaintiffs’ alter ego theory of liability alleged in the FACC, rather
26 than relating to any claim or defense as provided in Fed. R. Civ. P. 26(b)(1). The
27 FACC is subject to the pending Motions to Dismiss. If those Motions are granted,
28 in whole or in part—for example, if the Individual Counterclaim Defendants are

1 dismissed or the Court rules that the alter ego allegations are insufficient to permit
2 alter ego discovery in the underlying action, as opposed to post-judgment
3 proceedings, if any, then the subject matter of this Request will not be relevant.

4 Dated: December 8, 2014
5

6 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
7

8 By _____
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10 
11 BARBARA E. TAYLOR
12 Attorneys for Individual Counterclaim
13 Defendants Michael Omidi, M.D.
14 and Julian Omidi
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 333 South Hope Street, 43rd Floor, Los Angeles, CA 90071-1422.

On December 8, 2014, I served true copies of the following document(s) described as **MICHAEL OMIDI, M.D. AND JULIAN OMIDI'S RESPONSE TO DEFENDANTS' COUNTERCLAIM PLAINTIFFS' FIRST SET OF REQUESTS FOR ADMISSION** on the interested parties in this action as follows:

See Attached Service List

- BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California
that the foregoing is true and correct.

Executed on December 8, 2014, at Los Angeles, California.

Ami Sled

Angie Sotelo

SERVICE LIST

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